



South Carolina
Department of
Corrections

NIKKI R. HALEY, Governor
WILLIAM R. BYARS, JR., Director

January 16, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

Re: Gabriel Randolph v. SCDC
Appellate Case No.: 2012-213127

Ms. Kitchings,

In response to your letter dated January 14, 2013 in the above referenced matter, please accept this letter in lieu of a formal return to the petition for rehearing filed by appellant.

As an initial matter, please be advised that this office has not received the petition for rehearing. In addition, I have spoken with attorney Robert Peele, III, who previously represented the Department in this matter, and he indicated he also has not received a copy of the petition.

However, in an effort to provide a complete response to the Court's request, please also be informed our records indicate Mr. Randolph served the Notice of Appeal upon the Department of Corrections on August 3, 2012.

Please do not hesitate to contact me with any questions. We greatly appreciate your assistance in this matter.

Sincerely,

Christopher D. Florian
Attorney for Respondent

cc: Mr. Gabriel Randolph, # 248729
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669

RECEIVED

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SC Court of Appeals